

**Northwest Atlantic Fisheries Organization  
Consultative Committee Meeting  
September 2, 2003**

Video Meeting with Nodes at the NMFS Northeast  
Regional Office and NMFS HQ

**Summary**

The Northwest Atlantic Fisheries Organization (NAFO) Consultative Committee met via videoconference on September 2, 2003. This official meeting of the Committee, which was open to the public: briefly reviewed the highlights of the 2002 NAFO Annual Meeting; summarized NAFO intersessional work and bilateral meetings of interest, discussed high priority Scientific Council activities; and discussed U.S. positions with regard to the upcoming 2003 NAFO Annual Meeting. Particular emphasis was placed during this meeting on the results of the March 2003 meeting of the NAFO Working Group on the Allocation of Fishing Rights to the Contracting Parties of NAFO and the future of U.S. participation in NAFO. Federal Commissioner John H. Dunnigan (Director, NMFS Office of Sustainable Development) chaired the meeting. The Agenda is included as Annex 1, and a list of participants is included as Annex 2 to this report.

**Brief review of recent developments in NAFO**

U.S. Federal Commissioner Jack Dunnigan opened the meeting. He provided a very brief summary of the highlights of 2002 Annual Meeting and noted, once again, his disappointment that NAFO Parties did not support the U.S. proposal for a national quota allocation of Division 3LNO yellowtail flounder despite an increased TAC for this stock for 2003. Mr. Dunnigan also expressed disappointment in the results of the March 2003 meeting of the NAFO Working Group on the Allocation of Fishing Rights to the Contracting Parties of NAFO. Although the product itself was acceptable, the scope of application specified by the Working Group was extremely limited. There was general agreement expressed by all of the U.S. Commissioners present (Mr. Dunnigan, Jeffrey Pike, and Barbara Stevenson) that the U.S. should continue to assess its level of participation in NAFO given the lack of economically viable fishing opportunities.

In discussion on NAFO intersessional work and bilateral meetings of interest, Tom King (USCG) and Gene Martin (NMFS) provided a summary of the current status of efforts by the Standing Committee on International Control (STACTIC) to overhaul the current NAFO Conservation and Enforcement Measures (C&EM) and to harmonize three different proposals relating to elements of the NAFO monitoring and control scheme. Ralph Mayo (NMFS) expressed concern that the current draft of the C&EM does not contain the scientific data collection provisions detailed in (the still-unimplemented) Scientific Council (SC) document SC/00/35. However, it was clarified that overhaul was only to improve the existing text, not to make any new additions. Dean Swanson (NMFS) noted that the EU needs to be pushed to accept SC 00/35 so that NAFO is able to translate raw observer data for use by the SC. There is a need to reaffirm SC 00/35 at the annual meeting.

In further discussion on intersessional work, Mr. Gene Martin noted that the Working Group on Dispute Settlement Procedures is in the process of developing a straw-man proposal for consideration by the NAFO General Council (GC). This proposal will provide for a NAFO-specific process for dispute settlement, but will also include an “opt-out” clause that would allow for application of other procedures.

Ralph May and Fred Serchuk (NMFS NEFSC) then provided a report of high priority Scientific Council activities. A summary of the SC assessments and recommendations for 2004 is attached as ANNEX 3 to this report. Of particular note for the upcoming annual meeting are the recent assessment of Greenland halibut (firmly advising a lower TAC) and new information on shrimp in NAFO Div. 3LNO that may necessitate a mid-year change in TAC. No new SC advice was provided for yellowtail flounder. Regarding thorny skates, Mr. Mayo noted that the SC attempted to adequately answer the nine questions presented by the Fisheries Commission (FC) and that these answers can be found on the NAFO website [www.nafo.ca](http://www.nafo.ca). He also noted that the SC revision of its Precautionary Approach framework will be finished at the 2003 Annual Meeting.

### **High-priority issues for the 2002 Annual Meeting and beyond**

*Allocation:* There was general agreement among those present that, barring a change of circumstances, further work by the Allocation Working Group would not likely help the United States to gain economically viable fishing opportunities in NAFO. Thus, discussion at this meeting focused on possible future alternatives. It was agreed that, at this point, yellowtail flounder offered the only possibility of an economically viable fishery in NAFO, and Mr. Pike and Ms. Stevenson both expressed the opinion that the U.S. delegation should be looking at strategies for cutting a side-deal on yellowtail flounder if possible. Discussion that followed touched on the future biological status of NAFO yellowtail flounder and possible requests that the SC reevaluate TAC advice to allow harvest levels closer to Fmsy. Both U.S. scientists present noted SC uncertainty over the status of this stock and expressed their concern for the precedent that could be set by requesting on-the-fly reconsideration of harvest levels. It was agreed that the United States should once again seek a national quota allocation in the NAFO yellowtail fishery and that pressure should continue to be exerted on NAFO members that might help us to get this allocation.

*Chartering:* Mr. Dunnigan expressed the opinion that, although the United States may not continue its chartering operations for Div. 3M in the future, we should continue to support the existing chartering mechanism in NAFO. There was general agreement on this subject.

*Precautionary Approach:* Discussion focused on the U.S. white paper and hope was expressed that the paper could be used to move this issue forward at the upcoming meeting. Mr. Mayo noted that the SC language cited in the current draft should be removed as it is the subject of on-going debate in the SC. He then recommended some replacement text. He noted that he would be presenting the text of an SC Working Paper on this issue at the Annual Meeting. Dr. Serchuk recommended inclusion of Div. 3LNO thorny skate and Div. 3LMNO Greenland halibut in the

new draft as well. Mr. Dunnigan pointed out that, given the SC advice and likely cuts to the Greenland halibut TAC, it may not be a good strategy to include this stock in the precautionary approach document. Mr. Serchuk clarified that the SC is anxious to get a rebuilding plan in place for this stock in order to ensure continued funding (particularly from the EU) for research. It was agreed that the necessary changes would be made to the draft document and comments would be solicited from Canada and the EU before circulating the paper to NAFO.

*Thorny Skates:* It was generally agreed that the United States should table a paper on thorny skates early in the week of the Annual Meeting. Mr. Dunnigan asked the U.S. representatives to the SC what new SC information might be useful to the management side when considering this stock. Dr. Serchuk responded that the SC has had a difficult time identifying a recommended TAC for this stock due to the lack of data. However, the SC does have a number of recommendations regarding increased monitoring and data gathering that will help to address this problem in the future. It was agreed that a draft U.S. resolution/proposal should immediate actions for consideration by NAFO to deal with the low level of this resource. These actions might include: reduction in landings, data gathering requirements, and future work by the SC. Discussion then touched on the possibility of hyper-aggregation of this stock given its low biomass level and the viability of area closures in dealing with this phenomenon. Sonya Fordham (NCC member) offered to assist in the drafting of this document for further review before the Annual Meeting.

*Funding Issues:* Deirdre Warner-Kramer (DOS) provided a brief status review of the 2003 funding situation with regard to NAFO and other RFMOs. She noted that the United States has only been able to pay ½ of its 2003 dues to NAFO and that the situation looks bleak for 2004.

*U.S. Delegation issues:* It was agreed that the United States should arrange for a delegation meeting room at the upcoming Annual Meeting and that daily delegation meetings should be prescheduled. Patrick Moran (NMFS) noted that he would be in touch with delegation members in advance of the meeting with further information.

The meeting was then adjourned.